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ZNR UUUUU ZZH
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FM AMEMBASSY DAR ES SALAAM
TO RUEHC/DEPT OF LABOR WASHINGTON DC PRIORITY
RUEHC/SECSTATE WASHDC PRIORITY 5235
INFO RUEHGV/USMISSION GENEVA PRIORITY 0401

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SUBJECT: TANZANIA'S UPDATE: WORST FORMS OF CHILD LABOR
REPORT

REF: STATE 184972

¶1. (U) SUMMARY: While official 2005/06 figures on child labor have not been yet be released by Tanzania's National Bureau of Statistics (NBS), stakeholders agree child labor remains a problem in Tanzania, compounded by the scourge of HIV/AIDS, a weak educational system, and rural-urban migration. Since 2004, however, there has been a major increase in awareness across the country as the Tanzanian government has partnered with non-governmental organizations (NGOs) on projects to reduce child labor through education such as the Timebound Program. The Government of Tanzania (GOT) has also passed a National Strategy to Combat the Worst Forms of Child Labor and two labor laws in 2004, criminalizing child labor. The head of the Ministry of Labor's Child Labor Unit summarized the changing situation, "There is no way for us to reverse this rise in awareness. Now, Trade Unions, local authorities, and communities are aware that child labor is a crime and that children should be in school." While attempting to cope with child labor directly through legislation and education, the GOT has also made reducing poverty the number one priority on its national agenda. END SUMMARY.

Incidence and Nature of Child Labor:

¶2. (U) According to a report from the National Bureau of Statistics (NBS), an estimated 35.4 percent of children ages 5 to 14 were working in 2000-2001. In February 2007, NBS will publish an updated Integrated Labor Force Survey Report, providing 2005/06 figures for the incidence of child labor. Post will report on the most recent figures from the NBS report as soon as possible.

¶3. (U) Agriculture remains the largest sector of Tanzania's economy and children continue to work on tea, coffee, sugar cane, sisal, cloves, and tobacco farms, and in the production of wheat, corn, green algae, pyrethrum and rubber. On Zanzibar, children work primarily in the market place, in fishing, and in some hotels. Incidences of child labor in Tanzania occur primarily in the informal sector of the economy, which accounts for over 50 percent of the economy according to the World Bank. The Ministry of Labor, Employment and Youth Development, stressed the growing orphan population from the scourge of HIV/AIDS as an important cause of child labor, since orphans are often vulnerable to involvement in exploitative labor. A 2005 study by the Eastern and Southern African Universities Programme estimated the orphan population in Tanzania at 2.5 million.

¶4. (C) A U.S. based NGO working in Tanzania, Winrock International, has observed a growing level of awareness

across the country about the criminal nature of child labor. Winrock has noted that large-scale farms rarely use child labor any longer as employers have been sensitized to the new 2004 labor laws that criminalize child labor. The Ministry of Labor and the ILO have noted that Trade Unions are beginning to provide an important measure of oversight.

¶5. (U) Based on statistics provided by the Ministry of Education and Vocational Training, the 2005 gross primary enrollment was 109.9 percent and net primary enrollment was 94.8 percent compared to 97 and 82 percent respectively in ¶2004. The June 2006 Basic Education Statistics in Tanzania (BEST) Report outlined the following improvements in the education sector from 2004-2005:

- improvement in the teacher to pupil ratio from 1:58 to 1:56;
- 568 new schools built;
- an additional 458,145 pupils enrolled in primary schools;
- an additional 83,369 children between 5-6 years enrolled for pre-Primary education;

¶6. (U) Despite significant strides forward in Tanzania's education sector, primary schools are still overwhelmed by the increase in children seeking free primary education. Moreover, of all primary school students, only about 36.5 percent continue on to secondary school and of all the students who continue on to secondary school, only approximately 10.5 percent complete their secondary education.

Legislation and Enforcement:

¶7. (U) In 2004, the Union Government of Tanzania (GOT) passed the Employment and Labor Relations Act No.6 and the Labor Institutions Act No.7, both of which provide for the

protection of children from exploitation in the workplace and prohibit forced or compulsory labor. The Employment and Labor Relations Act includes a specific prohibition of forced labor by children. Unlike the previous law, the new labor laws establish a criminal punishment for employers that use illegal child labor as well as forced labor. Violators can be fined an amount not to exceed 5 million shillings (USD 4,382.12), imprisonment for a term of one year, or both. The new laws also prohibit children under the age of 18 from being employed in a mine, factory, ship or other worksite that the Minister of Labor deems to be hazardous.

¶8. (U) The 2004 Acts are not yet in effect, however, because implementing regulations are still being finalized. According to Mr. Festo Musee, Child Labor Unit coordinator at the Ministry of Labor, Employment and Youth Development, the Ministry has worked diligently in 2005 and 2006 to establish institutions, such as the Commission for Mediation, which will enable the GOT to enforce the 2004 labor laws. The Ministry of Labor is optimistic both laws will become operational in 2007. In May 2006, the GOT formally reaffirmed its commitment to the USG to fight trafficking in persons. The GOT has stepped up efforts on the legislative front, with Ministry of Justice drafting an anti-trafficking in persons (TIP) bill in 2006. According to the Attorney General's Office, the legislation is expected to be submitted to Parliament in 2007.

¶9. (U) Several government agencies have jurisdiction over areas related to child labor, but primary responsibility for enforcing the country's child labor laws rests with the Ministry of Labor. Although the Ministry of Labor reportedly made inspections throughout the year and gave warnings, there were no child labor cases in 2006. The low number of inspectors and the low salaries inspectors receive, undermines the enforcement of laws against child labor. In 2004, the Ministry of Labor did recruit and train 40 new labor officers and inspectors, bringing the total number of national labor inspectors to 145. In 2006, however, the total number of inspectors dropped to 124, due to a high level of turn-over. Musee explained that, "many officers obtain their training and then leave for greener pastures

(i.e. higher pay)."

¶10. (U) In Zanzibar, which has a separate Ministry of Labor and labor law, the law prohibits employment of children under the age of 18 years, depending on the nature of the work. The Employment Act N.11 of 2005 categorizes child labor practices as (a) ordinary practices for child labor, and (b) the worst forms of child labor. The penalties for category (a) offenses are a fine of 500,000 shillings (USD 350.57) or imprisonment of up to 6 months. For category (b) offenses, a fine of not less than 3 million shillings (USD 2,629.27) or imprisonment of at least one year, or both. In 2006, Zanzibar's Ministry of Labor did not prosecute any cases of child labor.

GOT Policies and Programs:

¶11. (U) In November 2006, the Union Government's Ministry of Labor and Ministry of Education began working in partnership with Winrock International, a U.S. based non-government organization, to implement a five year project known as TEACH - Tanzanian Educational Alternatives For Children. TEACH will work in five of Tanzania's most remote districts to reduce the overall number of children and/or youth engaged in the worst forms of child labor. The TEACH project will establish non-formal Primary Feeder schools, Model Farm schools, and will provide scholarships and student kits for children to attend government schools. The project will be implemented over five years with a USD 5 million budget, funded by the U.S. Department of Labor (USDOL).

¶12. (U) The GOT has been working with the ILO-IPEC to implement the USDOL-funded Timebound Program (TBP) to eliminate the worst forms of child labor in Tanzania by 2010, including child labor in agriculture, domestic service, mining, fishing, and prostitution. The Child Labor Unit of the Ministry of Labor is working with ILO-IPEC under the TBP to provide training for district child labor coordinators and district officials in the TBP's 11 target districts, to increase their capacity to combat the worst forms of child labor. According to the ILO, Phase I of the TBP was implemented by August 2006, with completion of a National Strategy to Combat the Worst Forms of Child Labor, a monitoring system, and an awareness campaign launched through the Ministry of Education and Ministry of Community Development. Phase II, which will involve expanding Phase I

programs at the district level, is expected to be complete by the end of 2008.

¶13. (U) In January 2006, a U.S. based NGO known as the Education Development Center (EDC) handed over learning centers to the Ministry of Education and Vocational Training, which the EDC had established in partnership with the Ministry from 2004-2005. The purpose of the learning centers is to ensure children who are at risk of entering the worst forms of child labor have access to basic, quality education.

Comment:

¶14. (U) In 2006, weaknesses in the education system, the HIV/AIDS epidemic, and the high level of poverty in Tanzania, continued to make Tanzanian children vulnerable to exploitation in the labor market. The level of awareness about child labor appears to be on the rise in Tanzania, stemming from the efforts of the GOT and partner NGOs working in the most vulnerable regions across the country. Tanzania has also made significant strides to improve its primary education system. Opportunities for secondary education, however, remain limited. Enforcement efforts in Tanzania have been hindered by the lack of institutional capacity to ensure labor laws become enforceable on a national scale and the fact that many children are employed in the informal sector of Tanzania's economy. Post will follow the Ministry of Labor's activities carefully in 2007 to assess progress on making the 2004 labor laws fully operational. END COMMENT.
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